



CABINET – 22ND JULY 2020

**SUBJECT: CONSTRUCTION OF A REPLACEMENT PLAY AREA,
PONTLLANFRAITH**

REPORT BY: DIRECTOR OF COMMUNITIES

1. PURPOSE OF REPORT

- 1.1 The report seeks Cabinet approval to construct a new play area off the Courthouse car park on the B4251 in Pontllanfraith to replace a play area that will be decommissioned when construction of the Chartist Gardens development commences. It further seeks Cabinet approval to utilise reserves to fund the work.

2. SUMMARY

- 2.1 The proposed Chartist Gardens development was given planning consent in July 2020. The development will include a recreation area but this will not be a like for like replacement for an existing play area which is typically used by families arriving by car and will be decommissioned when construction commences in 2021. In order to ensure that the public access play provision in the Pontllanfraith area is not diminished it is proposed that a replacement play area be constructed adjacent the Courthouse car park on the B4251 in Pontllanfraith.
- 2.2 The estimated cost of constructing the new play area is £90,000 to £110,000 and it is proposed that Capital Earmarked Reserves are utilised to fund the project.

3. RECOMMENDATIONS

- 3.1 That Cabinet approves the construction of a new play area as proposed.
- 3.2 That Cabinet approves the review, as part of the wider scrutiny of car parking charges, of parking charges for the Courthouse car park and in particular that consideration is given to making the first three hours of parking free of charge.
- 3.3 That Cabinet further approves the use of up to £110,000 of Capital Earmarked Reserves to fund the project

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 The proposal will ensure that the public access play provision in the Pontllanfraith area is not diminished when the Chartist Gardens development is constructed in 2021.

5. THE REPORT

- 5.1 The site of the now demolished Civic Centre site in Pontllanfraith is to be redeveloped for housing. The redevelopment, which is a collaboration between the Authority and Pobl Group and will be called Chartist Gardens, will result in the loss of an existing public play area.
- 5.2 The existing play area was and is typically used by families arriving by car and whilst the proposed redevelopment will include a less formal central recreation area this will be within the residential redevelopment with limited parking and will be far less convenient to access for those visiting by car.
- 5.3 The Chartist Gardens development was given planning consent in July 2020 and construction will start in 2021. The planning consent for the development did not explicitly require that a second off site play area to be provided but it is nevertheless recommended that a more accessible play area is constructed to maintain the current local public amenity provision.
- 5.4 It is proposed that a new public play area is constructed 120m North West of the existing play area near to the Courthouse car park off the B4251. A location plan and layout details are included in Appendix 1.
- 5.5 It is desirable that the new play area is constructed and open for use before the existing play area is decommissioned when construction work starts on the Civic Centre site in 2021.
- 5.6 No surveys have been carried out but the cost of the new play area is estimated to be in the range £90,000 to £110,000 and whilst Pobl could be instructed to deliver it this would, in effect, simply reduce the net capital receipt payable to the Authority with no net cost saving and it is felt that the play area is better constructed by the Authority.
- 5.7 Cabinet are asked to approve the construction of the replacement play area in the location proposed and to further approve the use of Capital Earmarked Reserves to fund the works. Cabinet are also asked to approve the review, as part of the wider scrutiny of car parking changes, of the parking charges for the Courthouse car park. Specially consideration of permitting free parking for the first three hours is recommended.
- 5.8 The location of the current and proposed play areas and the proposed layout are illustrated in appendices.

6. ASSUMPTIONS

- 6.1 That construction of the Chartist Gardens residential redevelopment will commence in 2021.

7. LINKS TO RELEVANT COUNCIL POLICIES

7.1 Corporate Plan 2018-2023.

The proposal supports Objective 5 - Creating a county borough that supports a healthy lifestyle in accordance with the sustainable Development Principle within the Wellbeing of Future Generations (Wales) Act 2015

8. WELL-BEING OF FUTURE GENERATIONS

8.1 The proposal aligns with and supports the following goals:

- A Healthier Wales
- A More Equal Wales
- A Wales of cohesive communities
- A Wales of Vibrant Culture and Thriving Welsh Language
- A Globally Responsible Wales

8.2 The proposal is consistent with the following ways of working as defined within the sustainable development principle in the Act.

- Long Term – *The proposal represents an investment in the long term health and well-being of children.*
- Prevention – *The proposal will help children to stay active and healthy.*

9. EQUALITIES IMPLICATIONS

9.1 An Equalities Impact Assessment has been completed.

10. FINANCIAL IMPLICATIONS

10.1 The construction cost of the replacement play area is estimated to be up to £110,000. The anticipated capital receipt for the land on which the Chartist Gardens development will be constructed is circa £1.5m but this cannot be utilised in advance of the cash being received. It is therefore proposed that up to £110,000 of Capital Earmarked Reserves is used to fund the replacement play area.

11. PERSONNEL IMPLICATIONS

11.1 There are none.

12. CONSULTATIONS

12.1 Cllr John Ridgewell confirmed support for the overall objective but expressed reservations regarding the proposal location and proximity to the B4251. It is confirmed that the proposal is to provide a fenced walkway from the car park to the fenced play area. The report otherwise reflects input from consultees.

13. STATUTORY POWER

13.1 Local Government Act 1972; this is a Cabinet function

Author: Mark Williams, Interim Head of Property Services

Consultees: Christina Harray, Chief Executive
Mark S. Williams, Interim Corporate Director for Communities
Robert J. Tranter, Head of Legal Services/ Monitoring Officer
Steve Harris, Acting Head of Finance/ S151 Officer
Rhian Kyte, Head of Regeneration and Planning
Anwen Cullinane, Senior Policy Officer – Equalities and Welsh Language
Lynne Donovan, Head of People Services
Marcus Lloyd, Head of Infrastructure
Councillor Lisa Phipps, Cabinet Member for Homes, Places and Tourism
Mike Headington, Green Spaces and Transport Services Manager
Councillor Gez Kirby, Local Ward Member
Councillor Colin Gordon, Local Ward Member
Councillor Michael Adams, Local Ward Member
Councillor John Ridgewell, Chair of Scrutiny
Councillor Christine Forehead, Vice Chair of Scrutiny

Appendices

Appendix 1 Location Plan, The Site and Proposed Layout

Appendix 2 Equality Impact Assessment

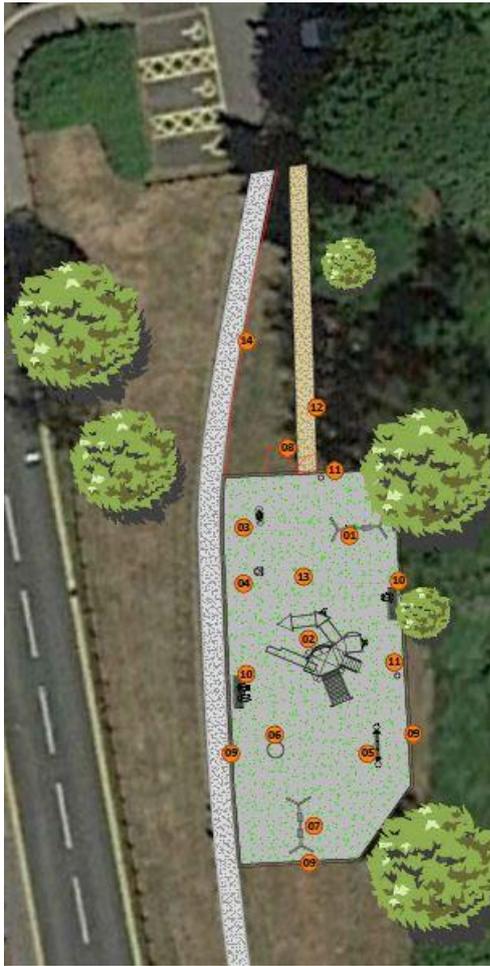
Location Plan



The Site



Proposed Layout



EQUALITY IMPACT ASSESSMENT FORM

July 2019

THE COUNCIL'S EQUALITIES STATEMENT

This Council recognises that people have different needs, requirements and goals and we will work actively against all forms of discrimination by promoting good relations and mutual respect within and between our communities, residents, elected members, job applicants and workforce.

We will also work to create equal access for everyone to our services, irrespective of ethnic origin, sex, age, marital status, sexual orientation, disability, gender reassignment, religious beliefs or non-belief, use of Welsh language, BSL or other languages, nationality, responsibility for any dependents or any other reason which cannot be shown to be justified.

EIAs are a legal requirement under equalities legislation (Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011) where the potential for a significant negative impact has been identified. This legislation has been in place since 2000. We also have a legislative duty to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
- advance equality of opportunity between people who share a relevant protected characteristic and those who do not
- foster good relations between people who share a protected characteristic and those who do not.

The Act explains that having due regard for advancing equality involves:

- removing or minimising disadvantages experienced by people due to their protected characteristics
- taking steps to meet the needs of people from protected groups where these are different from the needs of other people
- encouraging people with protected characteristics to participate in public life or in other activities where their participation is disproportionately low.

The protected characteristics are:

- | | |
|----------------------------------|----------------------------------|
| • Age | • Race |
| • Disability | • Religion, Belief or Non-Belief |
| • Gender Re-assignment | • Sex |
| • Marriage and Civil Partnership | • Sexual Orientation |
| • Pregnancy and Maternity | • Welsh Language* |

- * The Welsh language is not identified as a protected characteristic under the Equality Act 2010, however in Wales we also have to treat Welsh and English on an equal basis as well as promoting and facilitating the use of the Welsh language.

THE EQUALITY IMPACT ASSESSMENT

NAME OF NEW OR REVISED PROPOSAL*	Construction of a Replacement Play Area, Pontllanfraith
DIRECTORATE	Communities
SERVICE AREA	Property Services
CONTACT OFFICER	Mark Williams
DATE FOR NEXT REVIEW OR REVISION	N/A

***Throughout this Equalities Impact Assessment Form, 'proposal' is used to refer to what is being assessed, and therefore includes policies, strategies, functions, procedures, practices, initiatives, projects and savings proposals.**

The aim of an Equality Impact Assessment (EIA) is to ensure that Equalities and Welsh Language issues have been proactively considered throughout the decision making processes governing work undertaken by every service area in the Council as well as work done at a corporate level.

The Council's work across Equalities, Welsh Language and Human Rights is covered in more detail through the **Equalities and Welsh Language Objectives and Action Plan 2016-2020**.

When carrying out an EIA you should consider both the positive and negative consequences of your proposals. If a project is designed for a specific group e.g. disabled people, you also need to think about what potential effects it could have on other areas e.g. young people with a disability, BME people with a disability.

There are a number of supporting guidance documents available on the **Corporate Policy Unit Portal** and the Council's Equalities and Welsh Language team can provide advice as the EIA is being developed. Please note that the team does not write EIAs on behalf of service areas, the support offered is in the form of advice, suggestions and in effect, quality control.

Contact equalities@caerphilly.gov.uk for assistance.

PURPOSE OF THE PROPOSAL

1	<p>What is the proposal intended to achieve?</p> <p>To provide a new play area off the Courthouse car park on the B4251 in Pontllanfraith to replace a play area that will be decommissioned when the Chartist Gardens development progresses in 2021.</p>
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2	<p>Who are the service users affected by the proposal?</p> <p>Any persons who use the existing play facility including local school children, parents, grandparents, children and future users</p>
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IMPACT ON THE PUBLIC AND STAFF

3	<p>Does the proposal ensure that everyone has an equal access to all the services available or proposed, or benefits equally from the proposed changes, or does not lose out in greater or more severe ways due to the proposals?</p> <p>The replacement play area will be adjacent to the Courthouse car park. The car park, pathway to the play area and the play area itself are flat and level. The car park includes three disabled parking bays.</p> <p>Users of the existing play area enjoy free of charge parking but the Courthouse car park is Pay and Display. However, the report recommends the this is reviewed and some free of charge parking is provided for play area users</p>
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4 **Is your proposal going to affect any people or groups of people with protected characteristics?**
(Has the service delivery been examined to assess if there is any indirect effect on any groups? Could the consequences of the policy or savings proposal differ dependent upon people's protected characteristics?)

Protected Characteristic	Positive, Negative, Neutral	What will the impact be? If the impact is negative how can it be mitigated?
Age	Positive	Impacts positively on children promoting an healthy lifestyle
Disability	Positive	The proposed play area will be easier to access for disabled persons when compared to the play area it replaces. Some play equipment will be accessible to disabled young people including those in wheelchairs.
Gender Reassignment	Neutral	The provision is accessible and benefits young people regardless of protected characteristics
Marriage & Civil Partnership	Neutral	The provision is accessible and benefits young people regardless of protected characteristics
Pregnancy and Maternity	Neutral	The provision is accessible and benefits young people regardless of protected characteristics
Race	Neutral	The provision is accessible and benefits young people regardless of protected characteristics
Religion & Belief	Neutral	The provision is accessible and benefits young people regardless of protected characteristics
Sex	Neutral	The provision is accessible and benefits young people regardless of protected characteristics
Sexual Orientation	Neutral	The provision is accessible and benefits young people regardless of protected characteristics

5 **In line with the requirements of the Welsh Language Standards. (No.1) Regulations 2015, please note below what effects, if any (whether positive or adverse), the proposal would have on opportunities for persons to use the Welsh language, and treating the Welsh language no less favourably than the English language.**

None. Park signage will be bilingual

INFORMATION COLLECTION

6	<p>Please outline any evidence and / or research you have collected which supports the proposal? This can include an analysis of service users.</p> <p>The proposal is a like for like replacement of an existing provision. The new facility will be 150m away from the facility it replaces and will be accessible to the same users.</p>
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CONSULTATION

7	<p>Please outline the consultation / engagement process and outline any key findings.</p> <p>Local councillors have been consulted and the planning consent process including consultation with neighbours.</p>
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MONITORING AND REVIEW

8	<p>How will the proposal be monitored?</p> <p>The parks management team will manage the facility but usage will not be explicitly monitored. Wear and tear and littering will be monitored</p>
9	<p>How will the monitoring be evaluated?</p> <p>Via the parks management team</p>
10	<p>Have any support / guidance / training requirements been identified?</p> <p>Not required</p>

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11	If any adverse impact has been identified, please outline any mitigation action. The proposed location is near a fairly busy road but a fenced path from the car park will be provided. If the car parking charges are not waived for an initial 1-3 hours then users will incur additional costs.
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12	What wider use will you make of this Equality Impact Assessment? It will be appended to the Cabinet report
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13	<p>An equality impact assessment may have four possible outcomes, through more than one may apply to a single proposal. Please indicate the relevant outcome(s) of the impact assessment below.</p> <p style="text-align: right;">Please tick as appropriate:</p> <p>No major change – the impact assessment demonstrated that the proposal was robust; there was no potential for discrimination or adverse impact. All opportunities to promote equality have been taken. <input checked="" type="checkbox"/></p> <p>Adjust the proposal – the impact assessment identified potential problems or missed opportunities. The proposal was adjusted to remove barriers or better promote equality. <input type="checkbox"/></p> <p>Continue the proposal – the impact assessment identified the potential problems or missed opportunities to promote equality. The justification(s) for continuing with it have been clearly set out. (The justification must be included in the impact assessment and must be in line with the duty to have due regard. Compelling reasons will be needed for the most important relevant proposals.) <input type="checkbox"/></p> <p>Stop and remove the proposal – the impact assessment identified actual or potential unlawful discrimination. The proposal was stopped and removed, or changed. <input type="checkbox"/></p>
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Form completed by:	
Name:	Mark Williams
Job Title:	Interim Head of Property Services
Date:	16/7/20

Head of Service Approval	
Name:	Mark Williams
Job Title:	Interim Head of Property Services
Signature:	
Date:	16/7/20